

CUSTOMER NO.: 24498
Attorney Docket No. PU030294
Date of Office Action: 12/8/2009

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Remarks/Arguments

In the Final Office Action dated December 8, 2009, claims 1-20 remain pending in the application. Claims 1, 4, 5, and 9-16 have been amended herein to more clearly and distinctly claim the subject matter that Applicants regard as their invention. Support for the amendments to the independent claims are found at least at page 3, line 30 through page 4, line 3 of the specification as originally filed. No new subject matter has been added by the present amendment.

Rejection of claims 1-18 under 35 USC 103(a) as being unpatentable over US 7,206,853 awarded to Eytchison (hereinafter "Eytchison") in view of US 5,559,549 awarded to Hendricks (hereinafter "Hendricks").

Claims 1-18 stand rejected under 35 USC 103(a) as being unpatentable over Eytchison in view of Hendricks. Applicants respectfully traverse the claim rejections.

Amended claim 1 recites in part:

"... obtaining, by the television apparatus from the selected peripheral device, responsive to said user request, content information of the selected peripheral device regardless of whether the selected peripheral device is the currently selected input source for the television apparatus; and

displaying, by the television apparatus, the received content information for the selected peripheral device . . . "[emphasis added]

In the 103 rejection, the Office Action on page 4 points to Eytchison at Col 6, line 60 through Col 7, line 2 and Figs. 4A, 4B, and 8C as allegedly disclosing the feature of obtaining as recited in Applicants' claim 1. Specifically, Page 4 of the Office Action suggests that Eytchison discloses a Device Abstraction Layer (DAL) 210 which uses a Virtual File System (VFS) 420 to capture data and create a content database 450.

However, Eytchison describes at col. 5, line 59 to col. 6, lines 15 that the devices on the network communicate with the DAL. In col. 8, lines 37-67 Eytchison explains that the connection of a device to the network causes the AV File Manager, by communicating through the DAL, to create a files system which contains information of the connected device.

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Therefore, by detecting the connection of the device to the network the system in Eytchison through the DAL and AV File Manager builds a file system which contains the information relating to the content of the connected device.

This is different from the claimed invention because in Eytchison connecting the device causes the actions by the AV File Manager to read the device. This is not "*responsive to said user request*" as claimed by applicants. Therefore, applicants claimed obtaining, by the television apparatus from the selected peripheral device, responsive to said user request, is different from Eytchison where the AV file system gains the information when the device is connected to the network (also see col. 9, lines 1-11 of Eytchison).

Eytchison explains in cols. 8 and 9 that the AV File Manager sends the same information to a VFS 420 which compiles the information into a Table of Content (TOC). Eytchison also describes a Content "Reader" 430 reads the TOC and creates a CID table (see col. 9, lines 27-42). The Office Action on page 4 cites this TOC in Eytchison as related to applicants' claimed "obtaining." However, as pointed out above applicants' claimed invention recites obtaining, by the television apparatus from the selected peripheral device, responsive to said user request, content information of the selected peripheral device. In contrast, Eytchison describes creating this TOC in response to the addition of a device (col. 8, lines 59-64) and obtaining the content information from the TOC. As shown by Eytchison in Fig. 4A, the content database 450, TOC or CID table is clearly not the selected peripheral device, as required in claim 1. Therefore, Eytchison does not show or suggest obtaining, by the television apparatus from the selected peripheral device, responsive to said user request.

Furthermore, as noted on page 5 of the Office Action Eytchison describes selecting a tab such as HDD to show content of the HDD and then selecting actual content to view. However, simply selecting the HDD tab does not obtain, by the television apparatus from the selected peripheral device, responsive to said user request. In Eytchison, selecting the HDD tab simply shows the gathered content in content database 450, TOC and the CID table, which again is clearly not the selected peripheral device, as required in claim 1.

Hendricks does not cure the deficiencies of Eytchison in suggesting at least the above mentioned features of claim 1. Accordingly, amended claim 1 is patentable over the combination of Eytchison and Hendricks and the 103 rejection should be withdrawn.

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Furthermore, the Office Action points to Hendricks to show the claimed tuning, by the television apparatus, to a currently selected input source, which admittedly is lacking in Eytchison. However, Hendricks does not suggest a user request to view content information associated with a selected peripheral device interconnected to the television apparatus via the digital serial bus; obtaining, by the television apparatus from the selected peripheral device, responsive to said user request.

In Hendricks the subscriber may choose a program from the menu overlay, but there is no mention or suggestion of a selected peripheral device. In Hendricks the set top terminal generates and creates the menus. Neither Eytchison nor Hendricks suggests that the content information is received from the selected peripheral device responsive to a user request. Therefore, neither Eytchison nor Hendricks suggests displaying such received content information. Accordingly, claim 1 is patentable over the combination of Eytchison and Hendricks and the 103 rejection should be withdrawn.

Amended independent claims 9 and 15 have several features similar to those of amended claim 1. While claims 9 and 15 must be interpreted differently from claim 1, by applying the above arguments to each of claims 9 and 15 applicants submit these claims are patentable over the combination of Eytchison and Hendricks.

Claims 2-8, 10-14, and 16-18 depend from one of claims 1, 9 and 15, respectively, and incorporate by reference all of the features of their respective parent claim. Therefore, claims 2-8, 10-14, and 16-18 are patentable over the combination of Eytchison and Hendricks for at least the same reasons as amended claim 1. Accordingly, Applicants respectfully request withdrawal of the rejection to claims 1-18 under 35 U.S.C. 103(a).

Rejection of claims 19 - 20 under 35 USC 103(a) as being unpatentable over Eytchison, Hendricks, further in view of USPGPUB 2005/0060641 (hereinafter "Sezan").

Claims 19 and 20 stand rejected under 35 U.S.C. 103(a) over Eytchison, Hendricks, further in view of Sezan. Applicants respectfully traverse the claim rejections.

Claims 19 and 20 depend from allowable claims 8 and 15, respectively. Thus claims 19 and 20 incorporate the features of claims 8 and 15, respectively, and are patentably distinguishable over the combination of Eytchison and Hendricks for at least the same reasons

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as those given earlier for the allowability of those claims. Applicants submit that even if Sezan discloses the features as alleged by the office action, these features fail to cure the deficiencies of Eytchison and Hendricks as applied to claim 8 and 15.

Applicants respectfully request withdrawal of the rejection to claims 19 and 20 under 35 U.S.C. 103(a).


Conclusion

Applicants submit that for at least the reasons discussed above claims 1 – 20 are patentably distinguishable over Eytchison, Hendricks, Sezan, and any combination of these references.

Having fully addressed the Examiner's rejections it is believed that, in view of the preceding amendments and remarks, this application stands in condition for allowance. Accordingly then, reconsideration and allowance are respectfully solicited.

It is believed that there are no additional fees due with regard to the filing of this response. However if there is an additional fee due, please charge the fee, or credit any overpayment, to Deposit Account No. 07-0832.

Respectfully submitted,
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